



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/792,268	03/03/2004	Stephen G. Evangelides JR.	9005/45

27774  
 MAYER, FORTKORT & WILLIAMS, PC  
 251 NORTH AVENUE WEST  
 2ND FLOOR  
 WESTFIELD, NJ 07090



CONFIRMATION NO. 4231

## FORMALITIES LETTER



\*OC000000012768811\*

Date Mailed: 05/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

08/03/2004 EFLORES 00000086 501047 10792268

01 FC:2001 385.00 DA  
 02 FC:2051 65.00 DA

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
9005/45

In Re Application Of: Stephen G. Evangelides, Jr. et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/792,268	03/03/2004	unassigned	27774	2633	4231

Invention: **OPTICAL PERFORMANCE MONITORING BETWEEN TERMINAL EQUIPMENT AND  
OPTICAL INTERFACE TO AN OPTICAL SUBMARINE TRANSMISSION LINE**



Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
5/25/2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☒ was/were filed on 03/03/2004
- ☐ A separate request for refund.

☒ Other (list):

Preliminary Amendment (6 pages)  
IDS Form 1449 (2 pages)  
IDS Transmittal Form (3 pages)  
Postcard

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
9005/45

In Re Application Of: Stephen G. Evangelides, Jr. et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/792,268	03/03/2004	unassigned	27774	2633	4231

Invention: **OPTICAL PERFORMANCE MONITORING BETWEEN TERMINAL EQUIPMENT AND AN  
OPTICAL INTERFACE TO AN OPTICAL SUBMARINE TRANSMISSION LINE**

TO THE COMMISSIONER FOR PATENTS:

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☒ Completion of application fees as calculated below:

- |   |          |
|---|----------|
| <input checked="" type="checkbox"/> Utility application filing fee  | \$385.00 |
| <input type="checkbox"/> Design application filing fee  |          |
| <input checked="" type="checkbox"/> Total number of independent claims = 3  |          |
| <input checked="" type="checkbox"/> Total number of claims = 19   |          |
| <input type="checkbox"/> Multiple dependent claims  |          |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | \$65.00  |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor               |          |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification                      |          |
| <input type="checkbox"/> Fee for processing and retention of application  |          |

Total completion of application fees \$450.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due \$450.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
9005/45

In Re Application Of: Stephen G. Evangelides, Jr. et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/792,268	03/03/2004	unassigned	27774	2633	4231

Invention: **OPTICAL PERFORMANCE MONITORING BETWEEN TERMINAL EQUIPMENT AND AN  
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TO THE COMMISSIONER FOR PATENTS:

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The fee of \$450.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1047
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1047

Signature

Dated: 7/26/04

Stuart H. Mayer Reg. No. 35, 277  
Mayer Fortkort & Williams PC  
251 North Ave. West  
2nd floor  
Westfield, NJ 07090

I certify that this document and fee is being deposited on 7/26/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Debra Rosenbaum

Typed or Printed Name of Person Mailing Correspondence

CC: